Appl. No. 08/838,486 Amdt. dated April 29, 2004 Amendment under 37 CFR 1.116 Expedited Procedure Examining Group

## **REMARKS/ARGUMENTS**

Claims 49 and 58 are cancelled without prejudice to simply issues for appeal.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

J. buly huel

Joe Liebeschuetz Reg. No. 37,505

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, Eighth Floor San Francisco, California 94111-3834

Tel: 650-326-2400 Fax: 415-576-0300

Attachments JOL:klc 60204228 v1